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Bureau of Land Management

Elko District
Wells Resource Area Office, Elko, NV February 1996

WELLS RESOURCE MANAGEMENT PLAN

APPROVED

Elk Amendment and Decision Record

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1996

BLM Mission Statement

The Bureau of Land Management is responsible for the stewardship of our public lands. It is committed to manage, protect, and improve these lands in a manner to serve the needs of the American people for all times. Management is based upon the principles of multiple use and sustained yield of our nation's resources within a framework of environmental responsibility and scientific technology. These resources include recreation, rangelands, timber, minerals, watershed, fish and wildlife, wilderness, air and scenic, scientific and cultural values.

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Nevada State Office
P.O. Box 12000
Reno, Nevada 89520-0006

1610
(NV-930.1)

February 14, 1996

Dear Reader:

Enclosed for your information and use is a copy of the Approved Wells Resource Management Plan Elk Amendment and Decision Record. This Amendment and Decision Record completes the land use planning and environmental documentation for the proposed changes to elk management within the Wells Resource Area. This resource area is located in the eastern half of Elko County, Nevada and is headquartered in the Bureau of Land Management (BLM) Elko District Office.

This document contains two parts: PART 1: MANAGEMENT PLAN AMENDMENT, which meets the requirements of the Federal Land Policy and Management Act of 1976; and PART 2: DECISION RECORD, which meets the requirements of the National Environmental Policy Act of 1969.

Additional copies of this Approved Amendment and Decision Record may be obtained from the BLM Elko District Office at P.O. Box 831, 3900 East Idaho Street, Elko, Nevada 89803.

Sincerely,

Ann J. Morgan
State Director, Nevada

Enclosure
As stated

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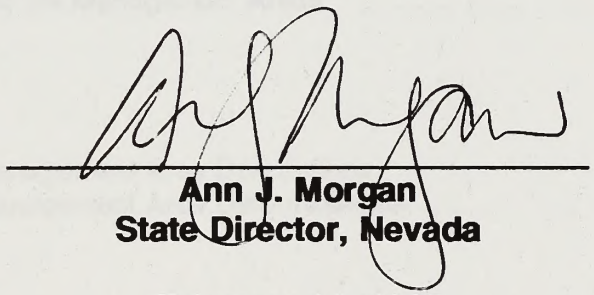
WELLS RESOURCE MANAGEMENT PLAN

APPROVED

ELK AMENDMENT
and
DECISION RECORD

Prepared by
DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
ELKO DISTRICT



Ann J. Morgan
State Director, Nevada

February 14, 1995

The Wells Resource Management Plan Approved Elk Amendment and Decision Record outlines elk management in the eastern half of Elko County, Nevada by the Wells Resource Area, Elko District of the Bureau of Land Management.

For further information contact: Elko District Manager, Bureau of Land Management, P.O. Box 831, 3900 East Idaho Street, Elko, Nevada 89803, or telephone (702) 753-0200.

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WELLS RESOURCE MANAGEMENT PLAN

APPROVED

ELK AMENDMENT

and

DECISION RECORD

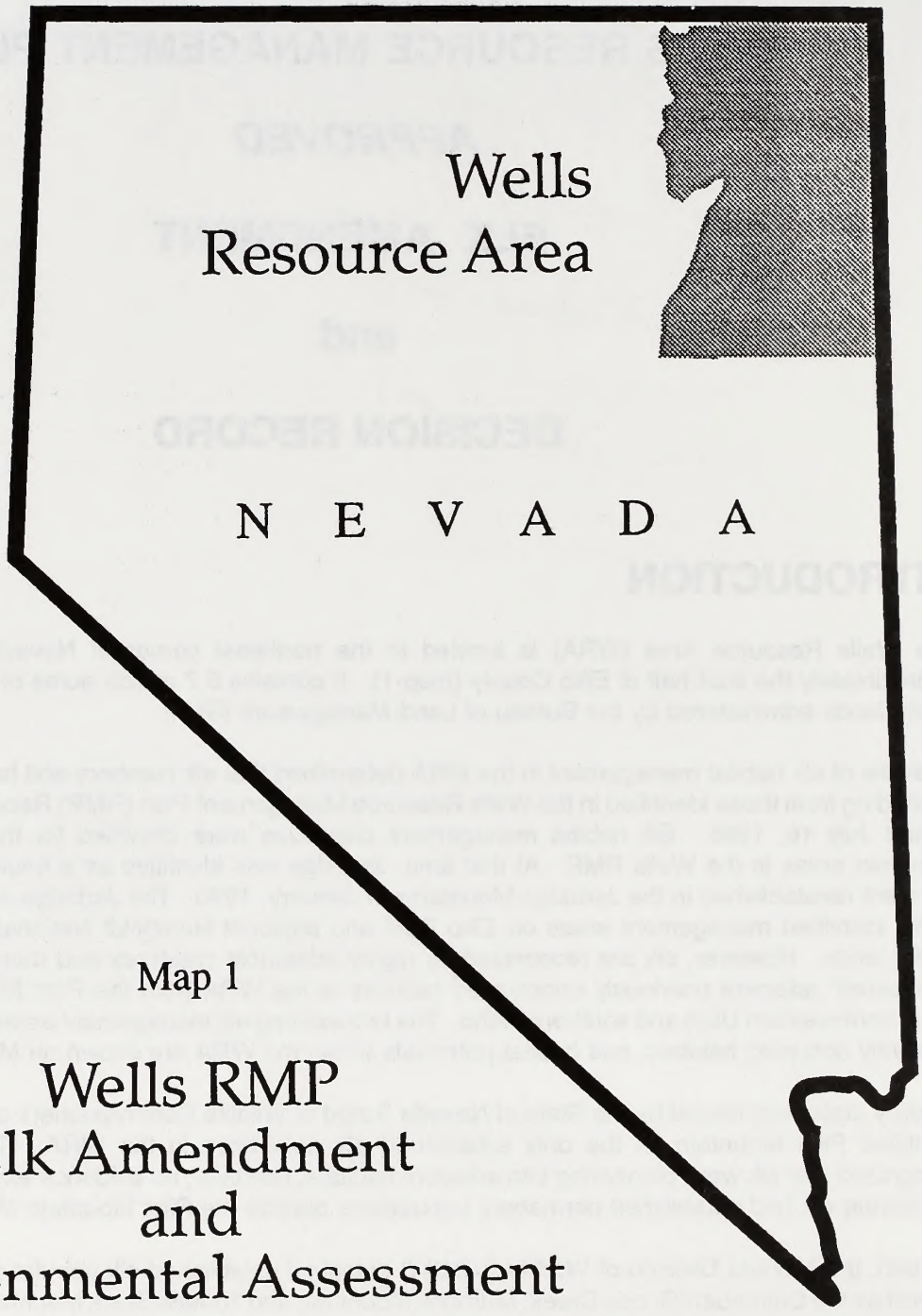
INTRODUCTION

The Wells Resource Area (WRA) is located in the northeast corner of Nevada and encompasses approximately the east half of Elko County (map 1). It contains 5.7 million acres of which 4.3 million are public lands administered by the Bureau of Land Management (BLM).

A review of elk habitat management in the WRA determined that elk numbers and habitat use areas were expanding from those identified in the Wells Resource Management Plan (RMP) Record of Decision (ROD) signed July 16, 1985. Elk habitat management objectives were identified for the Pilot and Jarbidge Mountain areas in the Wells RMP. At that time, Jarbidge was identified as a future management area. Elk were reestablished in the Jarbidge Mountains in January, 1990. The Jarbidge elk herd has remained within identified management areas on Elko BLM and adjacent Humboldt National Forest administered public lands. However, elk are recognized as highly adaptable creatures and during recent years have "pioneered" adjacent previously unoccupied habitats in the WRA from the Pilot Mountain Management Area, northwestern Utah and southern Idaho. The two existing elk management areas (Jarbidge and Pilot), presently occupied habitats, and habitat potentials within the WRA are shown on Map 2.

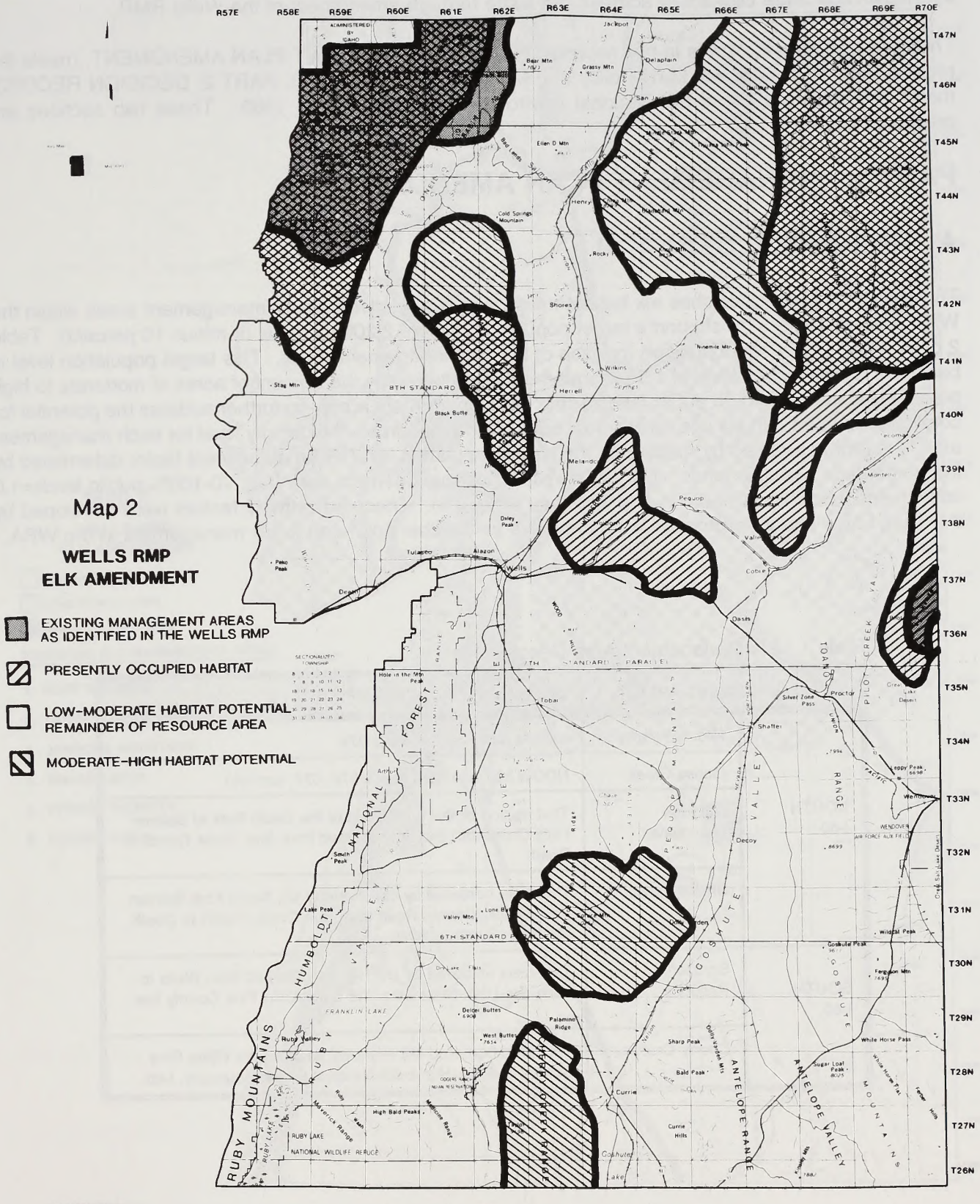
A policy statement issued by the State of Nevada Board of Wildlife Commissioners on December 6, 1988, identified Pilot Mountain as the only established elk population in the WRA. This policy statement recognized that elk were pioneering into adjacent habitats, however, no evidence existed to indicate these pioneering elk had established permanent populations outside the Pilot Mountain Management Area.

In 1990, the Nevada Division of Wildlife (NDOW) identified established elk populations on Pilot Mountain as well as the Crittenden/Goose Creek, Murdock Mountain, and 10-Mile/Black Mountain areas. The NDOW identified these populations outside Pilot Mountain as being established because they have maintained a breeding nucleus of animals for the past 4-8 years, are commonly sighted throughout the year, and do not appear to migrate to Pilot Mountain or to other areas seasonally. Because of social behavior and high adaptability to available habitat types, elk have more recently been pioneering outside these management areas as well as immigrating into the resource area. Elk have been sighted in the Snake Range, East Humboldt Range, South Ruby Range, Spruce Mountain, Pequop Mountains, and Cherry Creek Range.



Map 1

Wells RMP Elk Amendment and Environmental Assessment


Map 2
WELLS RMP
ELK AMENDMENT
EXISTING MANAGEMENT AREAS AS IDENTIFIED IN THE WELLS RMP
PRESENTLY OCCUPIED HABITAT
LOW-MODERATE HABITAT POTENTIAL REMAINDER OF RESOURCE AREA
MODERATE-HIGH HABITAT POTENTIAL
R57E
R58E
R59E
R60E
R61E
R62E
R63E
R64E
R65E
R66E
R67E
R68E
R69E
R70E
T47N
T46N
T45N
T44N
T43N
T42N
T41N
T40N
T39N
T38N
T37N
T36N
T35N
T34N
T33N
T32N
T31N
T30N
T29N
T28N
T27N
T26N
RUBY MOUNTAINS
HUMBOLDT NATIONAL FOREST
RUBY LAKE NATIONAL WILDLIFE REFUGE
FRANKLIN LAKE
RUBY VALLEY
HUMBOLDT VALLEY
CLOVER VALLEY
CLOVER MOUNTAINS
DIAMOND MOUNTAINS
TOANO RANGE
PILOT CREEK VALLEY
PEQUOP MOUNTAINS
GOSHUTE VALLEY
ANTELOPE RANGE
ANTELOPE VALLEY
WHITE PINE MOUNTAINS
WELLS
Tuscarora
Alazon
Oasis
Tobar
Shafter
Proctor
Silver Zone Pass
Decoy
Currie
Wendover
Bald Peak
Sharp Peak
Sugar Loaf Peak
White Horse Pass
Ferguson Mtn
Goshute Peak
Wildcat Peak
Lake Peak
Smith Peak
Valley Mtn
Hole in the Mtn Peak
Peko Peak
Stag Mtn
Black Butte
Oxley Peak
Pequop
Medano Mtn
Wilkins
Herrell
Shores
Cold Springs Mountain
Ellen D Mtn
Bear Mtn
Grassy Mtn
Jackpot
Delaplain
Henry
Rocky
Ninemile Mtn
Monte Cristo Mtn
Toano Peak
Loppy Peak
Palomino Ridge
West Butte
Delcer Buttes
High Baldy Peaks
Maverick Range
Medicine Range
Ruby Valley
Ruby Lake
Currie Hills
Goshute Lake
Silver Creek Range
8TH STANDARD PARALLEL
7TH STANDARD PARALLEL
6TH STANDARD PARALLEL
SECTION LAYOUT
TOWNSHIP

Because of the growing concern for expanding elk numbers in the resource area and their potential impact to attainment of existing multiple use objectives identified in the Wells RMP/ROD, the decision was made by the Nevada State Director to address this issue through amendment of the Wells RMP.

The approved amendment is in two sections. PART 1: MANAGEMENT PLAN AMENDMENT, meets the requirements of the Federal Land Policy and Management Act of 1976. PART 2: DECISION RECORD, meets the requirements of the National Environmental Policy Act of 1969. These two sections are presented below.

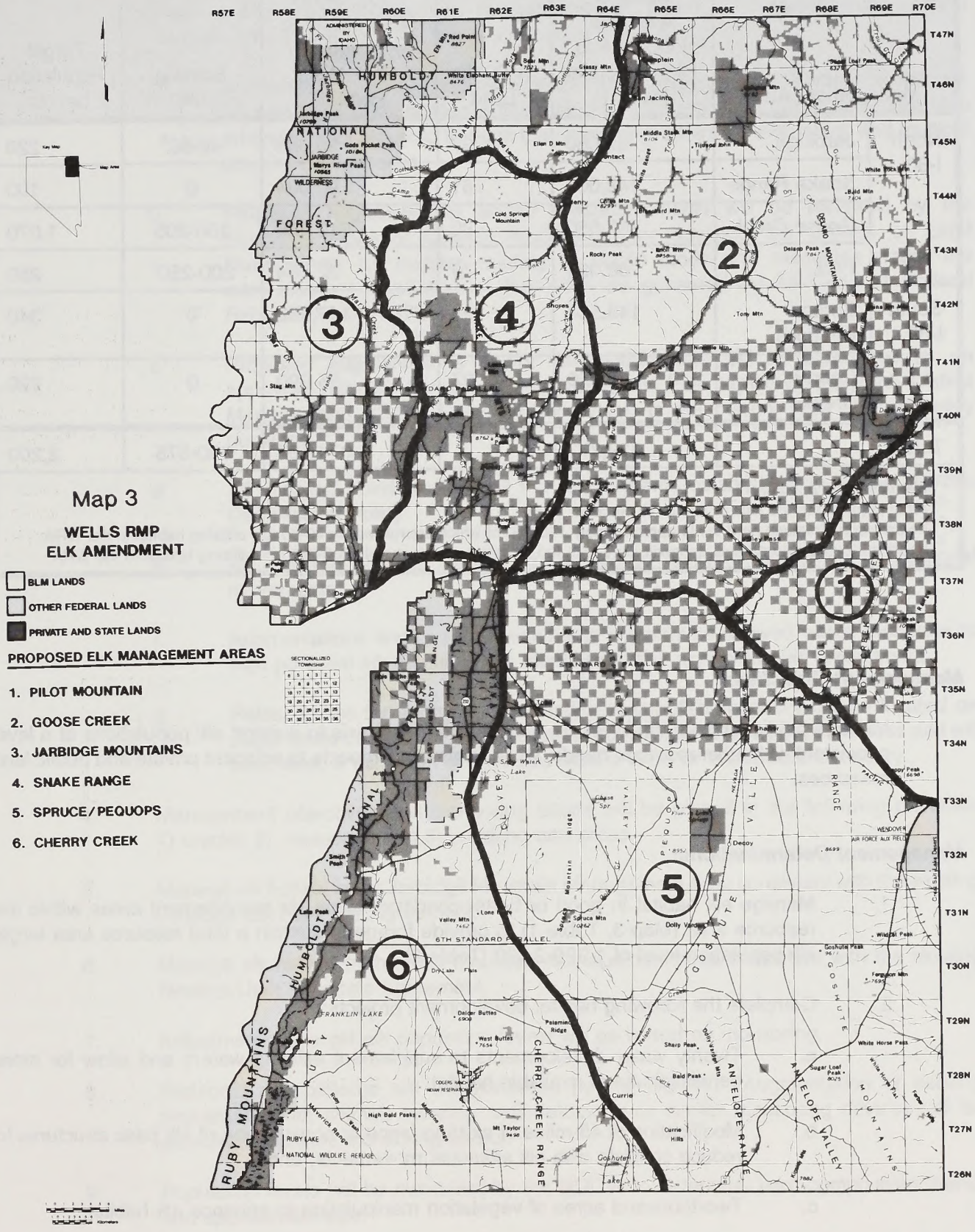
PART 1: MANAGEMENT PLAN AMENDMENT

A. RESOURCE DECISION

This approved plan establishes elk habitat management objectives for six management areas within the WRA (Map 3, Table 1) to support a target population level of 2,200 elk (plus or minus 10 percent). Table 2 outlines the target elk population for each of the six management areas. This target population level is based on an elk density level of 1.5 elk/square mile, multiplied by the amount of acres of moderate to high potential habitat located on public lands within the management area. To further address the potential for conflict associated with elk use on adjacent private land resources, the density level for each management area was further reduced by multiplying the target population level by an adjustment factor determined by the percentage of public lands within each respective management area (i.e., 90-100% public lands=1.0 adjustment factor, 80-90%=0.75, and less than 80%=0.5). These adjustment factors were developed by the Task Force Group to promote a conservative yet flexible approach to elk management in the WRA.

Table 1. Elk Management Area Descriptions.

MANAGEMENT AREA		GEOGRAPHICAL DESCRIPTION
NORTH I-80	Pilot Mountain	NDOW Management Area 079
	Goose Creek	NDOW Management Areas 076, 077, and 081
	Jarbidge Mountains	That portion of the WRA west of the South Fork of Salmon Falls Creek and the County Road from Sun Creek Ranch to Deeth
	Snake Range	That area bordered by US Highway 93, South Fork Salmon Falls Creek, County Road from Sun Creek Ranch to Deeth, I-80 from Deeth to Wells
SOUTH I-80	Spruce/ Pequops	That area bordered by US Highway 93, I-80 from Wells to Utah, the Utah State Line, the Elko-White Pine County line.
	Cherry Creeks	That area bordered US Highway 93, the Elko-White Pine County line, the Humboldt National Forest Boundary, I-80.


Map 3
WELLS RMP
ELK AMENDMENT
BLM LANDS
OTHER FEDERAL LANDS
PRIVATE AND STATE LANDS
PROPOSED ELK MANAGEMENT AREAS
1. PILOT MOUNTAIN
2. GOOSE CREEK
3. JARBIDGE MOUNTAINS
4. SNAKE RANGE
5. SPRUCE/PEQUOPS
6. CHERRY CREEK
SECTIONALIZED TOWNSHIP
R57E
R58E
R59E
R60E
R61E
R62E
R63E
R64E
R65E
R66E
R67E
R68E
R69E
R70E
T47N
T46N
T45N
T44N
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T35N
T34N
T33N
T32N
T31N
T30N
T29N
T28N
T27N
T26N
HUMBOLDT NATIONAL FOREST
JARBIDGE WILDERNESS
6TH STANDARD PARALLEL
RUBY MOUNTAINS
RUBY LAKE NATIONAL WILDLIFE REFUGE
FRANKLIN LAKE
CHERRY CREEK RANGE
ANTELOPE RANGE
ANTELOPE VALLEY
GOOSE CREEK
PEQUOP MOUNTAINS
CLOVER VALLEY
SPRUCE MOUNTAIN
WENDOVER AIR FORCE AUX FIELD
1
2
3
4
5
6

Table 2. Elk Management Area Determinations

Management Area		Acres of Available Moderate to High Potential Habitat	% Public Land	Public Acres of Moderate to High Potential Habitat	Existing Population[1]	Target Population Levels[2]
North I-80	Jarbidge	99,060	97	95,660	40-60[3]	220
	Snake Range	148,004	61	90,084	0	100
	Goose Creek	767,580	80	612,285	150-205	1,070
	Pilot	66,094	49	32,654	200-250[4]	250
South I-80	Spruce-Pequops	149,584	99	147,959	0	340
	Cherry Creeks	98,950	97	95,990	0	220
Totals		1,329,272		1,074,632	390-575	2,200

[1]1994 estimated population.
[2]Target populations are plus or minus 10 percent.
[3]The Jarbidge Mountain herd totals approximately 130-150 of which approximately 40-60 are utilizing habitat in the WRA.
[4]The Pilot Mountain herd totals approximately 350-400, of which approximately 200-250 are utilizing habitat in the WRA.

Management Objective:

Manage public lands in the WRA on a sustained yield basis to support elk populations at a level consistent with other resource needs, while minimizing impacts to adjacent private and public land resources.

Management Determinations:

1. Manage elk habitat in good or better condition within six management areas within the resource area (Map 3, Table 1) to provide forage to sustain a total resource area target elk population level of 1,980-2,420 (Table 2).

2. Complete the following habitat development projects:

   a. Twenty water developments to supplement existing waters and allow for more beneficial use of available habitat;

   b. Modification of 45 miles of existing fence or construction of elk pass structures to reduce conflicts with elk seasonal movements; and

   c. Two-thousand acres of vegetation manipulation to enhance elk habitat.

3. Target elk population levels will be achieved as a result of natural expansion of existing populations through pioneering within the resource area, immigration into the resource area, and/or augmentation or reestablishment efforts. Augmentations and/or reestablishments will be subject to the following guidelines:

   a. Augmentations will not be allowed within any management area where existing elk populations are more than 50% of target levels identified in this approved plan amendment or adjusted through the monitoring, allotment evaluation, and multiple use decision process.

   b. Proposed augmentations and/or reestablishments will be reviewed by the Resource Advisory Council responsible for advising the Bureau of Land Management on matters relating to public lands and resources under the administrative jurisdiction of the WRA as governed by 43 Code of Federal Regulations, Part 1784.

   c. Proposed augmentations and/or reestablishments will be authorized by an approved Release Agreement and Operations Plan signed by the BLM District Manager and NDOW Regional Supervisor as per current BLM Manual policy guidance.

   d. All released animals will meet the requirements established by NDOW Wildlife Commission Policy.

   e. All released animals will be ear tagged to facilitate monitoring of seasonal movements.

   f. Augmentations and/or reestablishments will only be allowed within moderate to high potential elk habitat areas identified in this approved plan amendment.

   g. Release sites for augmentations and/or reestablishments will not be located on public lands designated as Wilderness Study Areas (WSAs) or Wilderness and will be located a minimum of ten miles from a WSA or Wilderness boundary.

4. Management objectives and monitoring efforts will be placed in the following priorities: 1) crucial; 2) seasonal; and 3) yearlong use areas.

5. Manage elk habitat in the Jarbidge Mountain Management Area consistent with the existing Jarbidge Elk Six-Party Agreement.

6. Manage elk habitat in the Pilot Mountain Management Area consistent with the existing Nevada-Utah Interstate Agreement.

7. Adjustments in target elk population levels will be based on monitoring.

8. Seasonal use patterns will be monitored by the NDOW. Augmentation of existing populations with animals wearing radio-telemetry or similar monitoring devices will be allowed to facilitate monitoring efforts.

9. Population levels will be monitored by the NDOW to determine herd composition, trend, and approximate size.

10. The BLM will apply seasonal use pattern information and install vegetation monitoring studies to monitor the impacts of elk use to the vegetation resource. The type and intensity of studies will be determined once populations have become established and use patterns have been determined.

11. Elk population levels will be managed through population management strategies developed and implemented by the NDOW (see Appendix E of the Proposed Elk Plan Amendment and Environmental Assessment).

12. Structural and non-structural rangeland improvement projects to improve distribution and forage quality and quantity for both mule deer and livestock will have priority over elk management objectives.

13. Response to depredation complaints concerning elk damage to private land resources will be the responsibility of the NDOW as governed by appropriate Nevada Board of Wildlife Commissioners Policy and/or Nevada Revised Statutes directing such action be taken as deemed necessary, desirable, and practical to prevent land or property from being damaged or destroyed.

14. Supplemental feeding (winter feeding) of elk will not be allowed on public lands.

15. Combined use of key forage species by all grazing animals will not exceed existing allowable use levels as identified in the Nevada Rangeland Monitoring Handbook.

16. Elk use will be included within existing allowable use levels for key browse species by mule deer.

B. MONITORING AND EVALUATION

This amendment will be monitored annually and evaluated at five-year intervals (consistent with the Wells RMP) to determine if there is sufficient cause to warrant additional adjustment. The evaluation will consist of a review of each resource objective and management determination and will ascertain if the implementation of these components are meeting the needs of this particular resource. This evaluation will also outline any necessary changes that may be needed.

C. SUMMARY OF PUBLIC INVOLVEMENT

The decision to prepare an amendment to the Wells RMP concerning the management of elk in the WRA was made in April, 1993. A Notice of Intent to prepare an environmental assessment (EA) level amendment to the Wells RMP was published in the Federal Register on May 14, 1993. This notice also included a 45-day scoping period during which the public was requested to assist the BLM in identifying planning issues, planning criteria, and identifying alternatives they wish to be analyzed in the amendment. A letter to all interest groups, individuals, and agencies was sent on May 13, 1993. A news release was prepared and sent to all newspapers in northern Nevada and southern Idaho on May 14, 1993. Two public scoping meetings were also held (June 1, 1993 in Twin Falls, Idaho and June 2, 1993 in Wells, Nevada) to receive public comments on the scoping documents. In response, 35 comment letters were received and oral comments were received from 22 individuals. Written and oral comments expressed a wide range of concerns and views which are summarized under the heading "Public Attitudes" in Section III, page 30, of the Proposed Elk Amendment and Environmental Assessment.

To facilitate a more efficient preparation of the plan amendment, a Task Force Group was formulated to assist the Wells Area Manager in:

- formulating planning issues,
- identifying the scope of environmental analysis,
- developing a scoping document,
- reviewing public comments,
- identifying management alternatives to be considered,
- providing baseline information, and
- selecting a preferred alternative.

The Task Force Group was comprised of representatives from resource management agencies, land owners, special interest groups, and county government. The following is a list of Task Force Group members:

Robert Wright	Rancher/Land Owner
Steve Boies	Rancher/Land Owner
Don Campbell	Rancher/Land Owner
John Dits	Elko Chapter, Rocky Mountain Elk Foundation
Gilbert Hernandez	Elko County Advisory Board to Manage Wildlife
Von Sorensen	Elko Board of County Commissioners, Public Land Use Advisory Commission
Candice Wines	Elko Board of County Commissioners, Public Land Use Advisory Commission
Carl Nellis	Idaho Dept. of Fish & Game, Region 4
Larry Barngrover	Nevada Division of Wildlife, Region 2
Boyd Spratling	Nevada State Board of Wildlife Commissioners
Jack Rensel	Utah Dept. of Wildlife, Northern Region
Waive Stager	U.S. Forest Service, Jarbidge Ranger District
Don Ohman	U.S. Forest Service, Twin Falls Ranger District
Gary Carson	BLM, Boise District, Jarbidge Resource Area
Tom Dyer	BLM, Burley District, Snake River Resource Area
Leon Berggren	BLM, Salt Lake District, Bear River Resource Area
Bill Baker	BLM, Elko District, Wells Resource Area

The Wells RMP Draft Elk Amendment and Environmental Assessment was made available for a 30-day public review period in July, 1994. A "Notice of Availability" of the draft document was published in the Federal Register on July 27, 1994. A news release was prepared and sent to all the newspapers in northern Nevada and southern Idaho, announcing an August 31, 1994, deadline for public review of the draft. Twenty-eight people attended an open house held on August 18, 1994 in Wells, Nevada to answer any questions the public had concerning the draft land use plan amendment.

At the request of the Elko Board of County Commissioners, the initial 30-day public review period was extended an additional 90 days until December 2, 1994. A letter was mailed to all interested parties on September 30, 1994, and a news release was prepared and issued on October 20, 1994, to announce the extension of the comment period.

A total of 209 comment letters and 317 signatures were received on the draft document during the combined public review periods. Each comment letter received was carefully reviewed and all substantive comments which addressed inadequacies or inaccuracies in the facts or analysis or

methodologies used; identified new impacts or recommended reasonable new alternatives or mitigation measures; or involved substantive disagreements or interpretations of significance relating to the issues discussed in the draft plan amendment, were evaluated and summarized. Because of the volume of comments received on the draft plan amendment, individual comment letters were not reprinted in their entirety, rather, substantive comments of similar content were summarized and responded to in the proposed plan amendment. The actual comment letters are retained at the BLM Elko District Office as part of the record and are available for public review.

The Wells RMP Proposed Elk Amendment and Environmental Assessment was made available to the public for review and a 30-day protest period in February, 1995. A "Notice of Availability" of the proposed document was published in the Federal Register on February 21, 1995. It was sent to the Governor of Nevada for a 60-day consistency review on March 22, 1995. The proposed document was also mailed to all individuals, agencies and groups who participated in and who expressed an interest in this planning effort. The protest period ended on March 24, 1995. During the protest period, eight protests were received. These have been resolved by the Director and as a result no changes were made to the amendment. These protest letters are retained at the BLM Elko District Office as part of the record and are available for public review.

PART 2: DECISION RECORD

A. RESOURCE DECISIONS

The Proposed Elk Amendment is the environmentally preferable alternative and is selected as the Approved Elk Amendment for the Wells RMP. The resource determinations contained in the Proposed Elk Amendment, as displayed in PART 1: MANAGEMENT PLAN AMENDMENT section of this document, are the same and are not repeated here.

The planning criteria for this RMP amendment included the development of a Memorandum of Understanding between the NDOW and the BLM to outline the management determinations for the approved plan and elk habitat and population management responsibilities within the WRA. This Memorandum of Understanding is included as Appendix A.

B. FINDING OF NO SIGNIFICANT IMPACT

A finding of no significant impact was made on February 1, 1995, by the Nevada State Director. This determination was based on the analysis of the potential environmental impacts as addressed in the proposed amendment and environmental assessment document. The Nevada State Director determined that the impacts are not expected to be significant and that an environmental impact statement is not required (see Section VI., FINDING OF NO SIGNIFICANT IMPACT, on page 53 of the Wells Resource Management Plan Proposed Elk Amendment and Environmental Assessment).

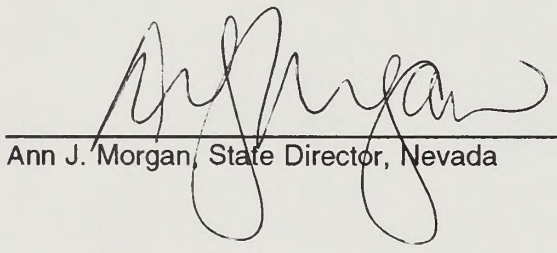
C. RATIONALE FOR DECISION

The resource decision, as outlined in the above approved amendment, was made to facilitate management of public lands in the Wells Resource Area on a sustained yield basis to support elk populations consistent with other resource needs. Implementation of this decision will not result in any unnecessary or undue environmental degradation.

D. COMPLIANCE AND MONITORING

The decision made in this amendment does not conflict with the resource management decisions for the Wells RMP, as amended. This decision has also been coordinated with local and state plans concerning management of public lands. No conflicts were communicated by the Governor's Office during the 60-day consistency review period. Where conflicting direction involving the management of public lands may occur between this plan amendment and those of the state and local governments, this amendment will comply with the laws and statutes as enacted by Congress to protect the interests of the citizens of the United States. This amendment will be monitored annually and evaluated at least every five years. The evaluations will be done at the same time as the Wells RMP.

E. APPROVAL



Ann J. Morgan, State Director, Nevada

February 14, 1996
Date

APPENDIX A

MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING
Between
NEVADA DIVISION OF WILDLIFE
and
BUREAU OF LAND MANAGEMENT
DEPARTMENT OF THE INTERIOR

WHEREAS, the Nevada Division of Wildlife (NDOW), under Nevada statute and regulation, possess the primary authority and responsibility for management of wildlife resources on Bureau of Land Management (BLM) lands; and

WHEREAS, the Secretary of Interior, through the BLM, by Federal law and regulation, is responsible for the management of wildlife habitat on the public lands; and

WHEREAS, the NDOW is authorized under Nevada Revised Statutes to enter into cooperative and reciprocal agreements with the Federal Government or any agency thereof for the purpose of implementing Commission Policy; and

WHEREAS, a Master Memorandum of Understanding exists between the NDOW and the BLM, dated December 1970, which outlines the regulatory authorities and cooperative management responsibilities for each agency pertaining to the management of wildlife resources and their habitat located on public lands in Nevada; and

WHEREAS, under the laws of the State of Nevada, the State of Nevada Board of Wildlife Commissioners is responsible for establishing the policies for the protection, propagation, restoration, transplanting, introduction, and management of wildlife in the state; and

WHEREAS, the State of Nevada Board of Wildlife Commissioners have established a policy for the NDOW to identify and work toward re-establishment and introduction of elk in formerly occupied ranges and in new ranges, where establishing elk populations is desirable for the greater public benefit, and where the management of elk is in conformance with established land use plans; and

WHEREAS, Section 202 of the Federal Land Management and Policy Act of 1976 directed the BLM to complete Land Use Planning and a Resource Management Plan was subsequently completed for the Wells Resource Area of the BLM's Elko District in July, 1985; and

WHEREAS, the Wells Resource Management Plan originally included management objectives for a reasonable number of 400 elk (330 winter, 10 summer, and 60 yearlong) for the Pilot and Jarbidge Mountain management areas; and

WHEREAS, elk numbers and habitat use areas have expanded from those identified in the Wells Resource Management Plan, with elk pioneering adjacent previously unoccupied habitats; and

WHEREAS, the Nevada State Director for the BLM has made the determination that due to the growing concern for expanding elk numbers in the Wells Resource Area and their potential impact to attainment of existing multiple use objectives, an amendment to the Wells Resource Management Plan would be completed; and

WHEREAS, the NDOW participated as a task force member formulated to assist the BLM in formulating planning issues, identifying the scope of environmental analysis, developing a scoping document, reviewing public comments, identifying management alternatives to be considered, providing baseline information, and selecting a preferred alternative; and

WHEREAS, the planning criteria established to guide the development of the Wells Resource Management Plan Elk Amendment included the development of a Memorandum of Understanding between the NDOW and the BLM which outlines the management determinations for the selected management alternative;

WHEREAS, if catastrophic circumstances occur, current NDOW and BLM policies may supersede this agreement to the extent of the circumstance;

THE NEVADA DIVISION OF WILDLIFE AND THE BUREAU OF LAND MANAGEMENT MUTUALLY AGREE TO THE FOLLOWING:

1. To manage elk populations and habitat in the Wells Resource Area of the BLM's Elko District in accordance with existing laws, regulation, and policy and as outlined in the management objectives and determinations for the BLM's Approved Wells Resource Management Plan Elk Amendment.

2. Elk habitat on public lands administered by the BLM's Wells Resource Area will be managed in good or better condition within six BLM management areas as specified in the Approved Wells Resource Management Plan Elk Amendment, to provide forage to sustain a total resource area target elk population level of between 1,980-2,420.

3. Target elk population levels will be achieved as a result of natural expansion of existing populations through pioneering within the resource area, immigration into the resource area, and/or augmentation or re-establishment efforts.

4. Elk populations will be managed through population management strategies developed and implemented by the NDOW so as not to exceed target elk populations identified in the Approved Wells Resource Management Plan Elk Amendment.

5. Adjustments in target elk population levels will be based on monitoring.

6. Elk management objectives and monitoring efforts will be placed in the following priorities: a) crucial; b) seasonal; and c) yearlong use areas.

7. The NDOW will monitor elk populations to determine seasonal use patterns, herd composition, trend, and overall population levels. Annual reports will be provided to the BLM Wells Resource Area to assist in monitoring and evaluating attainment or non-attainment of multiple use objectives.

8. The BLM will apply elk seasonal use pattern information and install vegetation monitoring studies to monitor the impact of elk use to the vegetation resource. The type and intensity of studies will be determined once populations have become established and use patterns have been determined. Annual reports will be provided to the NDOW Region II to assist in monitoring and evaluating attainment or non-attainment of multiple use objectives.

9. Combined use of key forage species by all grazing animals will not exceed existing allowable use levels as identified in the Nevada Rangeland Monitoring Handbook.

10. Elk use will be included within existing allowable use levels for key browse species by mule deer.

11. Supplemental feeding (winter feeding) of elk will not be allowed on public lands.

12. Habitat development projects designed to mitigate the impacts of target elk populations to existing resources and uses within the Wells Resource Area will be completed as identified in the Approved Elk Amendment. Priorities for development will be based on mitigation needs identified through population and habitat monitoring.

13. Structural and non-structural rangeland improvement projects to improve distribution and forage quality and quantity for both mule deer and livestock will have priority over elk management objectives.

14. Elk augmentation and/or re-establishment efforts will be subject to the following guidelines:

a. Augmentations will not be allowed within any management area where existing elk populations are more than 50% of target levels identified in the Approved Elk Amendment or adjusted through the monitoring, allotment evaluation, and multiple use decision process.

b. Proposed augmentations and/or re-establishments will be reviewed by the Resource Advisory Council responsible for advising the BLM on matters relating to public lands and resources under the administrative jurisdiction of the Wells Resource Area as governed by Title 43 Code of Federal Regulations, Part 1784.

c. Proposed augmentations and/or re-establishments will be authorized by an approved Release Agreement and Operations Plan signed by the BLM Elko District Manager and the NDOW Region II Supervisor as per current BLM manual policy guidance.

d. All released animals will meet the requirements established by NDOW Wildlife Commission Policy.

e. All released animals will be ear tagged to facilitate monitoring of seasonal movements.

f. Augmentations and/or re-establishments will only be allowed within moderate to high potential elk habitat areas identified in the Approved Wells Resource Management Plan Elk Amendment.

g. Release sites for augmentations and/or re-establishments will not be located on public lands designated as Wilderness Study Areas or Wilderness and will be located a minimum of ten miles from a Wilderness Study Area or Wilderness boundary.

h. Augmentation of existing populations with animals wearing radio-telemetry or similar monitoring devices will be allowed to facilitate monitoring efforts.

15. Response to depredation complaints concerning elk damage to private land resources will be the responsibility of the NDOW as governed by appropriate State of Nevada Board of Wildlife Commissioners Policy and/or Nevada Revised Statutes directing such action be taken as deemed necessary, desirable, and practical to prevent land or property from being damaged or destroyed.

16. Elk habitat in the Jarbidge Mountain Management Area will be managed consistent with the existing Jarbidge Elk Six Party Agreement.

17. Elk habitat in the Pilot Mountain Management Area will be managed consistent with the existing Nevada-Utah Interstate Agreement.

IT IS MUTUALLY AGREED AND UNDERSTOOD BY THE COOPERATORS THAT:

Nothing in this Memorandum of Understanding (MOU) will be construed as affecting the authorities of the participating agencies or as binding beyond their respective authorities, or to require either of the participating agencies to obligate or expend funds in excess of available appropriations.

Conflicts between the participating agencies concerning procedures under this MOU which cannot be resolved at the operational level will be referred to successively higher levels, as necessary, for resolution.

The participating agencies will document review of this MOU every five years to determine its adequacy, effectiveness and continuing need. At the end of each review period, this MOU must either be extended, cancelled, or modified. If not extended, this MOU will terminate on February 1, 2001.

The terms of this MOU may be renegotiated at any time at the initiative of one or both of the participating agencies, following at least 30 day notice of the other participating agency.

This MOU may be cancelled at any time by one or both of its participating agencies, following at least 30 days notice to the other participating agency.

Either participating agency may propose changes to this MOU during its term. Such changes will be in the form of an amendment and will become effective upon signature by both participating agencies.

This MOU will become effective upon signature by both participating agencies.

Larry Baumgrover — 2/14/96

Region II Supervisor, Nevada Division of Wildlife — **Date**

Acting — 2/15/96

Elko District Manager, Bureau of Land Management — **Date**

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